

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAY CLARENCE ROGERS,

Plaintiff,

v.

KING COUNTY, *et al.*

Defendants.

CASE NO. 2:23-cv-01034-DGE-GJL

ORDER ON MOTIONS

Plaintiff Ray Clarence Rogers, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Currently pending before the Court are four Motions filed by Plaintiff. Dkts. 117, 126, 127, 128. For the reasons set forth below, the Motions are **DENIED as moot**.

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I. DISCUSSION

A. Motion for Court to Direct Clerk to Correct Docket (Dkt. 127)

Plaintiff seeks an Order “that directs the Clerk to docket Plaintiff’s Fourth Amended Complaint (Dkt. 105-1) and to update the docket to reflect the correct Defendants.” Dkt. 127 at 1. Because the docket already includes the Fourth Amended Complaint (Dkt. 116) and reflects the newly-added Defendants, the Plaintiff’s Motion (Dkt. 127) is **DENIED as moot**. The Court notes, however, that recent filings reflect the full names of two Defendants who were previously only identified by their last name. Dkts. 131, 132. The Clerk is directed to update these Defendants’ names accordingly. *See id.* (“Currier” should be “Andrew Currier” and “Jellen” should be “Jens Jellen”).

B. Motion for Court to Direct Service of Amended Complaint (Dkt. 117); Motion for Court to Order Defendants to Answer or Respond to Plaintiff’s Fourth Amended Complaint (Dkt. 126)

Plaintiff has filed two Motions requesting that the Court direct service of, and order Defendants to respond to, the Fourth Amended Complaint. Dkts. 117, 126.

First, the Court has already directed service to the new Defendants added in Plaintiff’s Fourth Amended Complaint. Dkts. 120, 122. Aside from Barbara Wakeen, each of those Defendants has now waived service. Dkts. 131–135. Plaintiff’s Motion for Court to Direct Service (Dkt. 117) is therefore **DENIED as moot**.

Second, the deadlines for Defendants to answer Plaintiff’s Fourth Amended Complaint are set by Federal Rule of Civil Procedure 12. An Order on this matter is unnecessary and premature, and Plaintiff’s Motion to Order Defendants to Answer or Respond (Dkt. 126) is **DENIED as moot**.

1 **C. Motion for Magistrate Judge to Correct Order (Dkt. 128)**

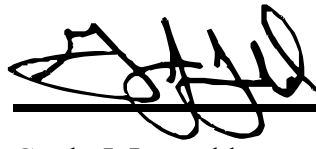
2 Plaintiff has filed a Motion asking the Court to revise its Order Directing Service (Dkt.
3 120), arguing that courtesy copies should have been provided to the King County Prosecuting
4 Attorney's Office, rather than the Washington State Attorney General's Office. Dkt. 128 at 1.
5 Insofar as the Court recognizes that counsel at the King County Prosecuting Attorney's Office
6 has already entered an appearance on behalf of Defendants, Plaintiff's Motion (Dkt. 128) is
7 **DENIED as moot.**

8 **II. CONCLUSION**

9 For the reasons set forth above, it is hereby **ORDERED** that:

- 10 (1) The Motion for Court to Direct Clerk to Correct Docket (Dkt. 127) is **DENIED as**
11 **moot.** However, the Clerk is directed to update the name of Defendant "Currier"
12 to "Andrew Currier" and the name of Defendant "Jellen" to "Jens Jellen."
13 (2) The Motion for Court to Direct Service of Amended Complaint (Dkt. 117) is
14 **DENIED as moot.**
15 (3) The Motion for Court to Order Defendants to Answer or Respond to Plaintiff's
16 Fourth Amended Complaint (Dkt. 126) is **DENIED as moot.**
17 (4) The Motion for Magistrate Judge to Correct Order (Dkt. 128) is **DENIED as**
18 **moot.**

19 Dated this 6th day of September, 2024.

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23 Grady J. Leupold
24 United States Magistrate Judge